(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

இணைப்பு IV

[398 ஆம் பக்கத்தில் இனம் 5 (2)-க்கான அடிக்குறிப்பைக் காண்க.]

L.A. BILL No. 40 OF 1983.

(As passed by the Assembly.)

A Bill further to amend the Madras City Police Act, 1888 *and the Tamil Nadu District Police Act,* 1859.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras City Police and the Tamil Nadu District Police (Amendment) Act, 1984.

(2) It shall be deemed to have into force on the 16th December 1983.

2. *Insertion of new section* 41-*A in Tamil Nadu Act III of* 1888.—In the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888) (hereinafter referred to as the principal Act), after section 41, the following section shall be inserted, namely:—

"41-A. *Power to prohibit drill or training by five or more persons, etc.*—(1) (*a*) The Commissioner may, whenever he considers it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, by order in writing prohibit the holding of, or taking part in, any drill with arms or training with arms by five or more persons in any place, whether public or private, or the carrying of arms in any procession.

(*b*) The Commissioner may, whenever he considers it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, by order in writing prohibit—

(i) the use of gestures or mimetic representations or playing of tapes or gramaphone records or other instruments in which speeches or songs are recorded, or

(ii) the preparation, exhibition or dissemination of pictures, symbols, placards, signs, visible representations or any other object or thing,

which may, in the opinion of the Commissioner, offend against decency or morality, or promote on ground of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony, feelings of enmity or hatred or ill-will between different religious, racial, language or regional groups or castes or communities.

(2) No prohibition under this section shall remain in force for more than three months:

Provided that if the State Government consider it necessary so to do for the preservation of the public peace or public safety or for the maintenance of public order, they may, by notification, direct that the order issued under sub-section (1) shall remain in force for such further period not exceeding six months from the date on which such order would have, but for such notification, expired, as they may specify in the said notification.

(3) Whoever, contravenes any prohibition made under this section shall, on conviction, be liable to imprisonment for a term which may extend to six months, and with fine which may extend to two thousand rupees.

(4) Nothing contained in clause (*a*) of sub-section (1) shall apply to—

(i) the holding of or taking part in, any drill with arms or training with arms held by the,—

(*a*) members of Home Guards;

(*b*) members of Bharat Scouts and Guides in their capacity as such members;

(*c*) police-personnel;

(*d*) Fire Service personnel;

(*e*) Jail Service personnel;

(*f*) members of the armed forces of the Union including the National Cadet Corps; or

(ii) the doing of any physical exercise other than drill with arms or training with arms.

(5) Notwithstanding anything contained in this section, if the State Government are satisfied that it is necessary or expedient in the public interest so to do, they may, by notification, exempt, subject to such conditions as they deem fit, any person or class of persons from the provisions of clause (a) of sub-section (1) of this section.

Explanation.—For the purposes of this section 'arms' means any type of offensive weapon and includes lathi and stick."

3. *Insertion of new section 73-A in Tamil Nadu Act III of 1888.*—After section 73 of the principal Act, the following section shall be inserted, namely:—

"73-A. *Penalty for writing upon streets, etc.*—Whoever,—

(i) writes upon or otherwise marks any road, street or way whether a thoroughfare or not to which the public are granted access or over which they have a right to pass; or

(ii) writes upon or otherwise marks any wall; or

(iii) causes any such road, street or way or any wall to be written upon or otherwise marked,

if such writing or marking offends against decency or morality or promotes on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony, feelings of enmity or hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be liable on conviction to fine not exceeding five hundred rupees or to imprisonment which may extend to three months or with both.".

4. *Amendment of Schedule, Central Act XXIV of* 1859.—In the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859), in the Schedule,—

(i) after the figures "41", the figures and letter "41-A" shall be inserted; and

(ii) after the figures "73", the figures and letter "73-A" shall be inserted.

5. *Repeal and saving.*—(1) The Madras City Police and the Tamil Nadu District Police (Second Amendment) Ordinance, 1983 (Tamil Nadu Ordinance 16 of 1983) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance or under the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859) as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act or, as the case may be, under the said Tamil Nadu District Police Act, 1859, as amended by this Act.

இணைப்பு V.

[421 ஆம் பக்கத்தில் இனம் 3 (3)-க்கான அடிக்குறிப்பைக் காண்க.]

L.A. BILL No. 11 OF 1984.

(As passed by the Assembly)

A Bill further to amend the Tamil Nadu General Sales Tax Act, 1959.

Be it enacted by the Legislature of the State of Tamil Nadu in the Thirty-fifth Year of the Republic of India as follows:—